

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 15, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAKOTA EDWARD STEVENS,

Petitioner,

v.

JEFFREY PERKINS,

Respondent.

No. 4:24-CV-05058-MKD

ORDER DISMISSING PETITION

Petitioner Dakota Edward Stevens, a prisoner currently housed at the Coyote Ridge Corrections Center, filed a *pro se* Petition for Writ of Habeas Corpus by a State Prisoner pursuant to 28 U.S.C. § 2254. ECF No. 1. The \$5.00 filing fee was paid on July 10, 2024. Respondent has not been served.

Petitioner challenges a Franklin County conviction for first degree child molestation, for which he was sentenced to 59.5 months incarceration. ECF No. 1 at 1. Petitioner does not specify the date of the judgment or sentence. *Id.* This is the second petition Petitioner has filed this year challenging the same unspecified

1 conviction and sentence, *see* 4:24-CV-05024-MKD, and he presents it on the same
2 form, with the notations, “NEW 9JUNE2024.” ECF No. 1 at 1. Petitioner also
3 crosses out the formerly named Respondent to add his current custodian, Jeffrey
4 Perkins. *Id.*

5 Petitioner asserts that he was “charged under Bill of Attainder Statute RCW
6 9A.44.020(1).” *Id.* The Court has repeatedly advised Petitioner that his Bill of
7 Attainder argument, based on a state evidentiary statute, is frivolous. *See* 4:24-
8 CV-05024-MKD, ECF No. 4 at 5-6, ECF No. 9 at 6. The Court will not entertain
9 it further. In the absence of a cognizable habeas corpus claim, the Court dismisses
10 this action with prejudice.

11 Accordingly, **IT IS ORDERED:**

12 **1.** This action is summarily **DISMISSED WITH PREJUDICE**
13 pursuant to Rule 4, Rules Governing Section 2254 Cases in the United States
14 District Courts.

15 **2.** The Court certifies that any appeal from this decision could not be
16 taken in good faith, and there is no basis upon which to issue a certificate of
17 appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b). A certificate of
18 appealability is therefore **DENIED**.

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1 **IT IS SO ORDERED.** The Clerk's Office shall file this Order, **ENTER**
2 **JUDMGENT**, provide copies to Petitioner, and **CLOSE** this file.

3 DATED July 15, 2024.

4 s/Mary K. Dimke
5 MARY K. DIMKE
6 UNITED STATES DISTRICT JUDGE
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